

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RONALD GONDA,	:	CIVIL ACTION NO. 00-2286
	:	
Plaintiff,	:	
	:	
v.	:	CHIEF JUDGE AMBROSE
	:	
	:	
METROPOLITAN LIFE INSURANCE	:	
COMPANY AND WILLIAM FRIEDT, JR.,	:	
Defendants.	:	

**METROPOLITAN LIFE INSURANCE COMPANY AND WILLIAM FRIEDT, JR.'S  
MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE UNRELATED  
TESTIMONY AND EXHIBITS OF JAMES RAYL**

Metropolitan Life Insurance Company's ("MetLife") and William Freidt, Jr., brings this Motion in Limine to Exclude From Evidence Unrelated Testimony and Exhibits of James Rayl.

1. In Plaintiff's revised exhibit list dated June 12, 2006, plaintiff has identified testimony of James Rayl in Rayl v. Metropolitan Life Insurance Co., Inc., CV 97-505 and exhibits thereto, listed in Plaintiff's exhibit nos. 43 and 44. A copy of proposed Exhibit Nos. 43 and 44 are attached as Exhibits A, and B, respectively.

2. Plaintiff's Proposed Exhibit Nos. 43 and 44 should be excluded for the reasons set forth in detail in MetLife's Brief in Support of its Motion in Limine to Exclude From Evidence Unrelated Testimony and Exhibits of James Rayl.

WHEREFORE, based on all of the foregoing reasons as well as those set forth in the accompanying brief, MetLife respectfully requests that this Court bar the introduction of the irrelevant and highly prejudicial Exhibit Nos. 43 and 44, unrelated testimony and exhibits of James Rayl.

Respectfully Submitted,

s/ B. John Pendleton, Jr.

B. John Pendleton, Jr.  
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Attorneys for Defendants  
Metropolitan Life Insurance Company and  
William Friedt, Jr.

Dated: June 19, 2006

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 19<sup>th</sup> day of June, 2006, a true and correct copy of the foregoing **METROPOLITAN LIFE INSURANCE COMPANY'S AND WILLIAM FRIEDT, JR.'S MOTION IN LIMINE TO EXCLUDE FROM EVIDENCE PLAINTIFFS' EXHIBIT NOS. 43, AND 44, UNRELATED TESTIMONY AND EXHIBITS OF JAMES RAYL** was served upon the following via the electronic filing system:

Kenneth R. Behrend, Esquire  
BEHREND & ERNSBERGER, P.C.  
Union National Bank Building, 3<sup>rd</sup> Floor  
306 Fourth Avenue  
Pittsburgh, Pennsylvania 15222

s/ B. John Pendleton, Jr.